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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/524,849	03/14/2000	Esme M. Taylor	004717.P001	8171

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EXAMINER

NGUYEN, CHAU T

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/524,849

Applicant(s)

TAYLOR, ESME M.

Examiner

Chau Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/24/2004 has been entered. Claims 1-30 are presented for examination.

### *Claim Objections*

2. Claim 1 is objected to because of the following informalities: "wherein **if the wherein** no further browsing is required to see a content of the web page". This phrase appears to be replete with grammatical and idiomatic errors. Examiner believes that the phrase should be rewritten as "wherein no further browsing is required to see a content of the web page". Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (Gupta), US Patent No. 6,487,538, and further in view of Verma.

5. As to claim 1, Gupta discloses a method comprising:

permitting a search (col. 4, lines 53-65);

displaying a search result, the search result comprising a listing of a sponsoree (col. 4, lines 14-65);

incorporating a designated active and browseable web page of a sponsor on the same page as the search result (col. 4, lines 14-65);

wherein the sponsoree may replace the web page of the sponsor with other data (col. 4, lines 14-65).

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However, Gupta does not explicitly disclose wherein no further browsing is required to see a content of the web page. Verma discloses advertisement 411 for bicycle roof racks including text "This Roof Rack on Sale Today SKU-NZD735 Price: 59.99 Dollars" (col. 4, lines 47-67 and Fig. 4). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Verma and Gupta to include no requirement to browse the web page to see its content since the web page itself already contains enough information that a user or searcher can comprehend, and if the user or searcher wants to know more about the advertisement, he/she can always click on the advertisement to see further details.

6. As to claim 27, Gupta discloses a method comprising:

displaying data of a listee-sponsoree in response to a search (col. 4, lines 14-65);

displaying an active web page of a sponsor associated with the listee-sponsoree on the same page as the data of the listee-sponsoree, such that the active web page is accessible while reviewing the data of the listee-sponsoree (col. 4, lines 14-65);

However, Gupta does not explicitly disclose wherein no further browsing is required to see a content of the web page. Verma discloses advertisement 411 for bicycle roof racks including text "This Roof Rack on Sale Today SKU-NZD735 Price: 59.99 Dollars" (col. 4, lines 47-67 and Fig. 4). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

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combine the teachings of Verma and Gupta to include no requirement to browse the web page to see its content since the web page itself already contains enough information that a user or searcher can comprehend, and if the user or searcher wants to know more about the advertisement, he/she can always click on the advertisement to see further details.

7. As to claim 30, Gupta and Verma disclose wherein the data of the listee-sponsoree is displayed in less than twenty percent of the visible page, while the active web page of the sponsoree is displayed in the remainder of the visible page (Gupta, col. 4, lines 19-25 and col. 15, lines 20-51).

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta and Verma as applied to claims 1, 27 and 30 above, and further in view of Jones, US Patent No. 6,256,623.

9. As to claim 2, Gupta and Verma disclose when a user selects a single result from the plurality of results, subsequently displaying the selected result with the incorporated designated web page of a sponsor (Gupta, Abstract, col. 4, lines 14-65);

However, Gupta and Verma do not explicitly disclose displaying a plurality of results on a single page, with no sponsors. Jones discloses when a user enters a search for the artist Miles Davis, a search result displays a list of title of album or song with or without advertising (Jones, col. 8, line 52 – col. 9, line 11

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and Figs. 4-5). Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Jones and Gupta, Verma to include displaying a plurality of results on a single page, with no sponsors in order to provide a user friendly environment for searcher.

10. Claims 3-11 and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta and Verma as applied to claims 1-2, 27, and 30 above, and further in view of Leal, US Patent No. 6,189,003.

11. As to claim 3, Gupta and Verma disclose limitations as discussed above. However, Gupta and Verma do not explicitly disclose wherein the plurality of results are displayed with an essential element missing. Applicant describes an essential element is a telephone number in the specification. In the same field of endeavor, Leal discloses a user enters a search provider's web site, a search result a list of items containing a "direct connection" link (an essential element) (Fig. 7, and col. 10, line 50 – col. 11, line 5). Thus, it is obvious to one of ordinary skills in the art at the time the invention was made to combine the teachings of Gupta, Verma and Leal to include search results displayed with an essential element missing in order to provide users having possibility to make direct connection to web sites.



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12. As to claim 4, Gupta, Verma and Leal (Gupta-Verma-Leal) disclose wherein the essential element comprises a telephone number in a telephone directory (Leal, Fig. 7, and col. 10, line 50 – col. 11, line 5).

13. As to claim 5, Gupta-Verma-Leal disclose wherein the plurality of results are displayed with a “call now button” that automatically connects the user with the listee selected (Leal, Fig. 7, and col. 10, line 50 – col. 11, line 5).

14. As to claim 6, Gupta-Verma-Leal disclose wherein a telephone call using the call now button is free to the user (Leal, Fig. 7, and col. 10, line 50 – col. 11, line 5).

15. As to claim 7, Gupta-Verma-Leal disclose wherein the telephone called may be charged to one of the following: the listee selected, the sponsor of the listee selected, or another sponsor (Leal, Fig. 7, and col. 10, line 50 – col. 11, line 5).

16. As to claim 8, Gupta-Verma-Leal disclose playing an advertising to the user prior to connecting the user with the listee selected (Leal, Fig. 7, and col. 10, line 50 – col. 11, line 5).

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17. As to claim 9, Gupta-Verma-Leal disclose playing an advertising to the listee prior to connecting the user with the listee (Leal, Fig. 7, and col. 10, line 50 – col. 11, line 5).

18. As to claim 10, Gupta-Verma-Leal displaying a licensee's data if the user connected to the directory from a licensee (Leal, Fig. 7, and col. 10, line 50 – col. 11, line 5).

19. As to claim 11, Gupta-Verma-Leal disclose tracking the user for statistical and revenue sharing purposes (Gupta, col. 16, lines 35-61, and col. 17, lines 13-30).

20. As to claim 28, Gupta-Verma-Leal disclose wherein the data comprises Yellow Pages information (Leal, col. 6, line 64 – col. 7, line 10).

21. As to claim 29, Gupta-Verma-Leal disclose enabling the listee-sponsoree to self-sponsor the data of the listee-sponsoree, such that the listee-sponsoree's active web page is displayed with the data of the listee-sponsoree (Leal, Fig. 7, and col. 10, line 50 – col. 11, line 5).

22. Claim 12-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (Gupta), US Patent No. 6,487,538.

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23. As to claim 12, Gupta discloses a method comprising:

permitting purchase a sponsorship of at least one listing based on a criteria (col. 4, lines 5-65); and

identifying a designated web page for incorporation on the same page as the listing when the sponsored listing is displayed as a search result, the designated web page being fully browseable to a user viewing the sponsored listing (col. 4, lines 5-65); and

enabling a listing owner to bump the sponsorship of the listing, and remove the web page of the sponsor (col. 4, lines 5-65 and col. 5, lines 36-44: advertising space on the internet is sold by web hosts to third parties (advertisers) and web hosts insert and transmit advertisements, thus one of the ordinary skill in the art would understand that the advertisements can be added or remove from the web page).

24. As to claim 13, Gupta discloses wherein the criteria comprises one or more of the following: a ZIP code, a city, a region, a telephone number, and SIC code, a demographic, a keyword, or an individual listing (col. 4, lines 53-65, col. 5, lines 17-35, and col. 10, lines 41-63).

25. As to claim 14, Gupta discloses wherein the demographic may be selected by a location of a user of the search (col. 4, lines 53-60).

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26. As to claim 15, Gupta discloses wherein the demographic may be based on a SIC code (col. 4, lines 53-60).

27. As to claim 16, Gupta discloses wherein the demographic maybe based on a category of the listing (Abstract).

28. As to claim 17, Gupta discloses receiving a request for sponsorship of a group based on the criteria;

determining if the group is available for sponsorship (col. 12, lines 23-41);  
and

if the group is available for sponsorship, quoting a list price for the group (col. 12, lines 42-50).

29. As to claim 18, Gupta discloses if the sponsor agrees to pay the list price,  
requesting the designated web page from the sponsor (col. 11, lines 126-65); and

adding the sponsor and the designated web page into a database (col. 11, line 66 – col. 12, line 7).

30. As to claim 19, Gupta discloses linking the selected listee to the sponsor's web page (col. 12, lines 8-22);

designating a length of time the sponsor is linked to the listee (col. 4, lines 26-36, and col. 5, lines 54-63);

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selecting a number of times the sponsor wants the sponsor's page to be shown (col. 12, line 51 – col. 13, line 42); and

setting a price for the sponsor (col. 12, line 51 – col. 13, line 42);

31. As to claim 20, Gupta discloses wherein setting the price comprises setting a price per impression or setting a price per time period (col. 4, lines 26-36, and col. 5, lines 54-63).

32. As to claim 21, Gupta discloses if the sponsor declines to pay the list price,

prompting the sponsor to enter a bid for the sponsorship of the group (col. 13, lines 13-42) ; and

opening an auction for the sponsorship of the group (col. 14, lines 19-47).

33. As to claim 22, Gupta discloses notifying bidders of the sponsorship of an outcome of the auction (col. 14, lines 19-47); and

requesting the designated web page for the group from the sponsor who won (col. 14, lines 19-47); and

adding the sponsor and the designated web page into a database (col. 11, line 66 – col. 12, line 7).

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34. As to claim 23, Gupta discloses wherein the sponsorship comprises a price for each impression of the sponsor's designated web site with the at least one listing (col. 4, lines 26-36, and col. 5, lines 54-63).

35. As to claim 24, Gupta discloses wherein the sponsorship may be a self-sponsorship, such that a web page displayed is a web page of the listee (col. 12, lines 8-22).

36. Claims 25-26 are corresponding apparatus claims containing similar limitations as discussed in claims 12-24; therefore, they are rejected under the same rationale.

### **Response to Arguments**

In the remarks, Applicant argued in substance that

(A) None of the references teach or suggest the sponsoree being able to remove the web page of the sponsor

As to point (A), Gupta discloses in col. 4, lines 5-65 and col. 5, lines 36-44: advertising space on the internet is sold by web hosts to third parties (advertisers) and web hosts insert and transmit advertisements, thus one of the

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ordinary skill in the art would understand that the advertisements can be added or remove from the web page.

(B) None of the references teach or suggest a system in which an active web page of a sponsor is displayed and in which no further browsing is required to see the content of the web page.

As to point (B), Applicant's arguments with respect to "no further browsing is required to see the content of the web page" have been considered but are moot in view of the new ground(s) of rejection. Please see the rejection above.

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (703) 305-4639. The Examiner can normally be reached on Monday-Friday from 8:00 am to 6:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Joseph Feild, can be reached at (703) 305-9792.

The fax phone numbers for the organization where this application is assigned are as follows:

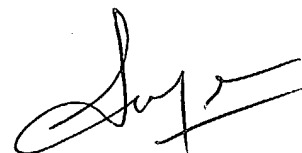
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Inquiries of a general nature relating to the general status of this application or proceeding should be directed to the 2100 Group receptionist whose telephone number is (703) 305-3900.

Chau Nguyen  
Patent Examiner  
Art Unit 2176



**SANJIV SHAH  
PRIMARY EXAMINER**